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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
ANHWAR TELLY YOUNG,
Defendant.

Case No. 2:09-cr-340-JAD-GWF

**UNOPPOSED MOTION FOR
ORDER OF REMAND TO A
SUITABLE FACILITY FOR
TREATMENT**

Comes now the defendant, Anhwar Telly Young, by and through his counsel of record, Rene L. Valladares, Federal Public Defender, and Monique Kirtley, Assistant Federal Public Defender, and hereby moves this court for an order with the proposed language as requested by FMC Rochester.

FMC Rochester contacted the parties to advise that no formal order had issued revoking Defendant Young's December 1, 2014 conditional release. Attached is a proposed order for the Court with the language as requested by FMC Rochester.

On August 31, 2009, Defendant pled Not Guilty By Reason of Insanity to count one of the Information alleging a violation of 18 U.S.C. § 844(e). On April 23, 2012, Defendant was committed to the custody of the Attorney General pursuant to 18 U.S.C. § 4243(e). On May 7, 2013, the Court ordered Defendant's conditional release under 18 U.S.C. § 4243(f)(2).

On December 11, 2013, U.S. Probation filed a Petition for Warrant for Offender Under Supervision, and Defendant was arrested on December 23, 2014. On January 29, 2014, as amended by its March 18, 2014 order, the Court returned him to the custody of the Attorney General pursuant to 18 U.S.C. § 4243(b) in order to determine if Defendant's conditional release should be revoked under 18 U.S.C. § 4243(g).

On December 1, 2014, the Court held a hearing and revoked Defendant's conditional release under 18 U.S.C. § 4243(g). The Court recommitted the defendant. The Court further ordered that the Defendant receive treatment at FMC Rochester, without prejudice. The Court ordered counsel and the doctors to work together to ascertain an appropriate placement and treatment program in the community.

However, no written order was issued at the time.

The parties request that this Court issue an order reflecting that the Defendant's conditional release was revoked under 18 U.S.C § 4243(g) as of December 01, 2014 and that the defendant was remanded to a suitable facility.

DATED this 19th day of October, 2015.

RENE L. VALLADARES
Federal Public Defender

By: /s/*Monique Kirtley*

MONIQUE KIRTLEY
Assistant Federal Public Defender
Attorney for Anhwar Telly Young

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ORDER

ORDER

Based on the joint motion of counsels, and good cause appearing therefore, the Court finds that the best interest of justice is served by the granting the motion.

IT IS THEREFORE ORDERED that Defendant's conditional release is hereby revoked under 18 U.S.C. § 4243(g) as of December 1, 2014.

IT IS FURTHER ORDERED that Defendant is hereby remanded to a suitable facility on the ground that, in light of his failure to comply with the prescribed regimen of medical, psychiatric, or psychological care or treatment, his continued release would create a substantial risk of bodily injury to another person or serious damage to property of another.

NUNC PRO TUNC to December 1, 2014.

UNITED STATES DISTRICT JUDGE

1 **CERTIFICATE OF ELECTRONIC SERVICE**

2 The undersigned hereby certifies that she is an employee of the Federal Public Defender
3 for the District of Nevada and is a person of such age and discretion as to be competent to serve
4 papers.

5 That on October 19, 2015, she served an electronic copy of the above and foregoing
6 **UNOPPOSED MOTION FOR ORDER OF REMAND TO A SUITABLE FACILITY**
7 **FOR TREATMENT**, by electronic service (ECF) to the person named below:

8
9 DANIEL G. BOGDEN
10 United States Attorney
11 J. GREGORY DAMM
12 Assistant United States Attorney
13 333 Las Vegas Blvd. So. 5th Floor
14 Las Vegas, NV 89101

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16 _____
17 */s/Nancy Vasquez*
18 Employee of the Federal Public Defender